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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--------------------------|-------------|----------------------|---------------------|------------------|
| 10/542,266 | 09/11/2006 | Jean-Marie Vau | 85308/WRZ | 3465 |
| 1333 | 7590 | 05/01/2008 | EXAMINER | |
| EASTMAN KODAK COMPANY | | | MA, TIZE | |
| PATENT LEGAL STAFF | | | | |
| 343 STATE STREET | | | ART UNIT | PAPER NUMBER |
| ROCHESTER, NY 14650-2201 | | | 2628 | |
| | | | | |
| | | | MAIL DATE | DELIVERY MODE |
| | | | 05/01/2008 | PAPER |

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

| | | | |
|------------------------------|------------------------|---------------------|--|
| Office Action Summary | Application No. | Applicant(s) | |
| | 10/542,266 | VAU ET AL. | |
| | Examiner | Art Unit | |
| | TIZE MA | 2628 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 15 July 2005.
 2a) This action is FINAL. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-11 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) Claim(s) _____ is/are allowed.
 6) Claim(s) 1-11 is/are rejected.
 7) Claim(s) _____ is/are objected to.
 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

| | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ . |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date <u>07/15/2005</u> . | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| | 6) <input type="checkbox"/> Other: _____ . |

DETAILED ACTION

Specification

1. The disclosure is objected to because of the following informalities:

The last word "camera" is missing on the title when the title is displayed separately.

Appropriate correction is required.

Claim Objections

2. Claim 9 is objected to because of the following informalities:

It appears that "and" should be "an". Appropriate correction is required.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claim 4 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

5. Regarding claim 4, the phrase "more or less" renders the claim(s) indefinite because the claim(s) include(s) elements not actually disclosed, thereby rendering the scope of the claim(s) unascertainable. See MPEP § 2173.05(d).

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. Claims 1-4, 6-8, 10 are rejected under 35 U.S.C. 102(e) as being anticipated by Touchard et al (US 7,068,857).

8. Regarding claim 1, Touchard et al teaches a method of display of at least one digital image, called initial image, on a monitoring screen having a resolution less than the resolution of the initial image, the method comprising the following steps:

- a) the automatic identification in the image of at least one zone-of-interest (32a, 32b and 32c) (column 4, lines 29-32, detecting the principal subject),
- b) for each zone-of-interest identified, the automatic selection of an image portion (34a, 34b and 34c) containing the zone-of-interest (column 4, lines 37-40, limiting the area),
- c) the formation of a sequence of images to be displayed comprising selected image portions (column 5, lines 7-8, creating several vignettes),
- d) the command of an enlarged display of the images of the sequence (column 4, lines 42-52, appropriate transformation would include enlargement).

9. Regarding claim 2, Touchard et al teaches, during step d), the display is a full screen display (column 2, lines 14-16, adapting to display screen).

10. Regarding claim 3, Touchard et al teaches that the step a) comprises the automatic identification of initial image zones showing faces, the zones showing faces being selected as zones-of-interest (32a, 32b and 32c) (column 4, line 55).

11. Regarding claim 4, Touchard et al teaches that step a) comprises the automatic identification of zones (33) of the initial image showing more or less unified color ranges, and in which zones in addition to the zones showing more or less unified color ranges are selected as zones-of-interest (Interpreted as zones with similar color, such as flesh color, see column 4, line 61).

12. Regarding claim 6, Touchard et al teaches comprising the capture of the initial image with a digital camera (digital image, see column 1, lines 54-55), the transmission of the image to a remote processing entity (column 1, lines 15-17), the execution of at least one of the steps a), b) and c) in the remote processing entity and the sending of a corresponding display command from the processing entity to a display device (column 4, lines 47-52).

13. Regarding claim 7, Touchard et al teaches that the execution of the three steps a), b), and c) occurs in a remote processing entity (14) and the display command comprises data (44) identifying the image portions to be displayed (column 4, lines 35-40, 50-52).

14. Regarding claim 8, Touchard et al teaches that the command comprises image data (42, 42i) relating only to the image portions to be displayed (column 4, lines 47-52).

15. Regarding claim 10, Touchard et al teaches that zones-of-interest are identified in many initial images and wherein the sequence is formed with image portions from many initial images (column 5, lines 27-32, the process may include multiple images).

Claim Rejections - 35 USC § 103

16. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

17. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Touchard et al as applied to claim1 above, and in view of Alsing et al (US 6,362,850 B1).

18. Regarding claim 5, Touchard et al remains as applied to claim 1 above. However, Touchard et al does not teach the automatic selection of additional image portions (34i) located on a path (36) linking the two selected image portions containing zones-of-interest, and the insertion of these additional image portions in the sequence of images to be displayed, so as to simulate panning between the image portions containing a zone-of-interest.

19. Alsing et al, in the same field of endeavor, teaches generating a plurality of images along a path of panning from a still image (column 1, lines 62-67) to create a visual effect of motion or change.

20. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the methods as shown in Touchard et al and in Alsing

et al by generating a plurality of images along a path of panning between the image portions containing a zone-of-interest to create a visual effect of motion or change.

21. Claims 9, and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Touchard et al as applied to claim1 above, and in view of Lambidakis (US 5,375,203, already of the record).

22. Regarding claim 9, Touchard et al remains as applied to claim 1 above. However, Touchard et al does not explicitly teach that the display command comprises, for each image portion, an enlargement ratio instruction.

23. Lambidakis, in the same field of endeavor, teaches changing the sizes of the portion of the image, i.e., zooming, which would be realized by executing a command with an instruction of an enlargement (column 2, lines 5-14). The enlargement enables the user to view further details of the particular portion of the image.

24. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the methods as shown in Touchard et al and in Lambidakis by including an enlargement instruction to facilitate a zooming function for viewing the more details of the particular portion of the image.

25. Regarding claim 11, Touchard et al remains as applied to claim 1 above. However, Touchard et al does not explicitly teach that the entire initial image is shown in the sequence.

26. Lambidakis, in the same field of endeavor, teaches that the entire initial image is shown in the sequence (Column 1, lines 63-68; column 2, lines 1-4. Panning, and the

entire bit map of the image can be displayed on a monitor). This provides an option to view the entire image in addition to the portions of the image.

27. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the methods as shown in Touchard et al and in Lambidakis by showing the entire initial image for an option to view the entire image in addition to the portions of the image.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Steinberg et al (US Pub. 2006/0204055) for automatic face detections.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to TIZE MA whose telephone number is (571)270-3709. The examiner can normally be reached on Mon-Fri 7:30-5:00 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Xiao M. Wu can be reached on 571-272-7761. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

tm

/XIAO M. WU/

Supervisory Patent Examiner, Art Unit 2628